

United States District Court

FILED
CLERKS OFFICE

2007 APR 23 PM 12:33
Docket No.:

Joseph P. Schmitt, pro se)
Plaintiff)

v.)

Carter Thomas, et al)
Defendants)

~~U.S. DISTRICT COURT~~
~~DISTRICT OF MASSACHUSETTS~~
10571
Habeas Corpus Petition
Ad Subjiciendum

MOTION TO COMPEL DEFENDANTS'
TO ALLOW THE PLAINTIFF LEGAL
COPYING IN HIS PRESENCE

Now comes the pro se plaintiff, Joseph P. Schmitt, and hereby moves this Honorable Court to grant his motion, as the pro se plaintiff states the following in support of his motion:

- (1) Plaintiff states, that the defendants have ordered that he leave his legal work with non-responsible persons other than the Plaintiff who brings this action;
- (2) Plaintiff states, that leaving his legal work to be copied presents a burden, as the defendants have in the past and present repeatedly violated Plaintiff's "Work Product Privilege" by reading the legal documents, and turning over said legal documents to defendants legal counsel to specifically review and verify the submitted papers prior to the legal action being served upon the defendants or court,

And prior to any counsel filing an appearance with the court. Also on countless, and fully verifiable instances the defendants have refused to photocopy legal documents, after allegedly reviewing the documents for days, for allegedly not being legal documents or relevant to the action;

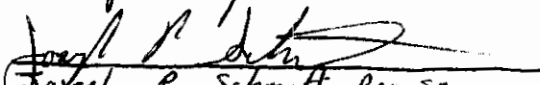
(3) Plaintiff states, that in the past and present, the defendants have made incomplete copies, which forces Plaintiff to be delayed by having to resubmit the uncopied documents, which presents a burden upon the pro se plaintiff;

(4) Plaintiff states, that the Librarian, Natalya Pushkina and, Library Aid, Manuel Botelho have stated, that upon a Court Order, they will do all Plaintiff's legal copies in front of him, and this burdens the defendants or employees in no way;

(5) Plaintiff states, that Deputy Superintendent of Treatment, Joseph Murphy and, Director of Treatment, Michael Thomas have stated, that upon a Court order, they would allow Plaintiff to have his legal documents copied in front of the Plaintiff, and this burdens the defendants or employees in no way;

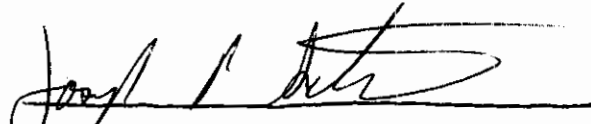
WHEREFORE, pro se plaintiff, Joseph P. Schmitt, prays, this Honorable Court grant the above motion for all reasons stated herein.

Dated: April 16, 2007

Respectfully Submitted

 Joseph P. Schmitt, Pro se
 Noranket Correctional Facility
 30 Administration Road
 Bridgewater, Massachusetts
 02324-3230

Certificate of Service

I, Joseph P. Schmitt, pro se plaintiff, hereby certify that a true copy of the above document was served upon the defendants counsel of record via 1st class Mail on or about April 17, 2007


Joseph P. Schmitt, pro se
plaintiff